

AMENDMENTS TO THE DRAWINGS:

The attached replacement drawing sheet makes changes to Fig. 1 and replaces the original sheet with Fig. 1.

Attachment: Replacement Sheet

REMARKS

Claims 17-23 and 25-27 are pending in this application. By this Amendment, the specification, Fig. 1 and claims 17-23 and 25-27 are amended. Claims 24, 28 and 29 are canceled without prejudice to, or disclaimer of, the subject matter recited therein. No new matter is added. Reconsideration of the application is respectfully requested.

The Office Action objects to the drawing. Fig. 1 is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action objects to the specification. The specification is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 17-29 under 35 U.S.C. §112, second paragraph. The claims are amended to obviate the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 17-19, 21-24 and 26-29 under 35 U.S.C. §103(a) over U.S. Patent No. 6,233,878 to Krähenbühl et al. (hereinafter "Krähenbühl") in view of U.S. Patent No. 6,516,566 to Finke. This rejection is respectfully traversed.

First, Applicants note that Krähenbühl corresponds to reference [5] EP 0 953 706 A1 (hereinafter "EP 706"), as discussed in the specification of the present application. EP 706 and its drawbacks are discussed on page 3 of the specification, for example.

Claim 17 recites, *inter alia*, that the separating element is connected to the driving apparatus by means of an attachment element, that is held by a body of the first drive assembly and in parallel to the separating element, and that a busbar extending in the longitudinal direction of the guide rail is arranged within the guide rail and is tapped by current collectors that are arranged on the first drive assembly. These features are shown in Fig. 2, for example.

As admitted by the Office Action, Krähenbühl fails to disclose the same positioning of the electric motor as the features as recited in claim 17.

Krähenbühl discloses to arrange the electric motor within the supporting profile of the sliding door. Therefore, in the system taught by Krähenbühl, the electric motor is not arranged within the guide rail, but within the supporting profile of the sliding door.

As pointed out on page of the specification, for example, in Krähenbühl, due to the integration of the electric motor in the sliding door, a comparably large supporting profile is required. Hence, doors manufactured according to the teaching of Krähenbühl can not be made exclusively from glass and always require a comparatively large metal frame.

Finke discloses the integration of an electrical motor within a guide rail as shown in Fig. 1 of Finke. However, in Finke, the drive mechanism 4 with the electrical motor 103 is not mounted to a drive assembly but firmly bolted in a positively form-fitting or interlocking manner to the guide rail with square-head bolts 21 located in two mounting grooves 15 of the guide rail. Because the drive mechanism 4 is stationary mounted, no busbar is arranged along the guide rail. Rather, the electrical motor is connected with short wires to a power supply. Moreover, the belt is not fixed to the guide rail but rotated within the guide rail and connected to the separation element. Furthermore, the drive shaft of the electrical motor is arranged perpendicularly and not parallel to the separation element.

As such, even if combined, Krähenbühl and Finke do not teach or suggest each and every feature of claim 17.

In addition, the Office Action asserts that it would have been obvious to one of ordinary skill in the art to combine the teaching of Finke with Krähenbühl to create a more rigid and compact apparatus which houses a motor and transmission under a single housing as taught by Finke.

However, Krähenbühl specifically discloses at col. 2, lines 55-61 that the arrangement of the drive motor in the support profile make it possible to have an extremely slim-line design of the track attached to the ceiling because practically no additional space for the drive needs

to be provided in the rail. Therefore, modifying Krähenbühl to provide the drive motor in the rail would have taught away from the teaching of Krähenbühl. This is improper. See MPEP §2143.01(V). Therefore, those skilled in the art would not have been motivated to combine the applied references.

At least for these reasons, Applicants respectfully submit that claim 17 is patentable over Krähenbühl and Finke.

Dependent claims 18, 19, 21-23, 26 and 27 are allowable at least for their dependence on claim 17, as well as for the additional features they recite. Claims 24, 28 and 29 are canceled. Therefore, withdrawal of the rejection is respectfully requested.

The Office Action rejects claim 20 under 35 U.S.C. §103(a) over Krähenbühl in view of Finke, and further in view of U.S. Patent No. 6,098,695 to Schwingle. This rejection is respectfully traversed.

Claim 20 is allowable at least for its dependence on claim 17, as well as for the additional features it recites.

Moreover, Schwingle disclose the use of a movable chain 50 instead of a belt as disclosed by Krähenbühl. Therefore, modifying Krähenbühl with Schwingle will alter the principle of operation of the belt as taught by Krähenbühl. Further, Schwingle discloses locating the electrical motor outside the guide rail. Therefore, modifying Finke with Schwingle would have taught away from Finke. As such, one of ordinary skill in the art would not have been motivated to combine Schwingle with Krähenbühl and Finke.

At least for these reasons, withdrawal of the rejection is respectfully requested.

The Office Action rejects claim 25 under 35 U.S.C. §103(a) over Krähenbühl in view of Finke, and further in view of U.S. Patent No. 6,082,053 to Bischof et al (hereinafter "Bischof"). This rejection is respectfully traversed.

Claim 25 is allowable at least for its dependence on claim 17, as well as for the additional features it recites.

Moreover, Bischof discloses locating the electrical motor, the busbar, the current collectors and the stationary mounted belt outside the guide rail, requiring considerable space. Further, Bischof teaches to arrange the motor shaft perpendicularly to the plane of the separation element. Therefore, based on the teaching of Bischof, the combination of the applied references do not teach or suggest each and every feature of claim 17, and thus claim 25. Furthermore, Bischof teaches away from at least Finke. Thus, those skilled in the art would not have been motivated to combine the applied references.

At least for these reasons, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 17-23 and 25-27 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:KXH/hms

Attachments:

Petition for Extension of Time
Replacement Sheet (Fig. 1)

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